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and HECTOR VAZQUEZ
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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

12 JENNIE QUAN, individually and as
13 successor in interest to BENJAMIN
14 CHIN, deceased,

15 Plaintiff,

16 v.

17 COUNTY OF LOS ANGELES;
MARISOL BARAJAS; HECTOR
18 VAZQUEZ; and DOES 3-10, inclusive,
19 Defendants.

Case No. 2:24-cv-04805-MCS(KSx)

**DEFENDANT HECTOR
VAZQUEZ'S DECLARATION IN
SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT, OR PARTIAL
SUMMARY JUDGMENT**

[Assigned to Hon. Mark C. Scarsi,
Courtroom "7C"]

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21 **DECLARATION OF DETECTIVE HECTOR VAZQUEZ**

22 1. I am a Defendant in the above-entitled action.

23 2. I have personal knowledge of the facts set forth herein, and if called upon
24 as a witness to testify thereto, I could competently and truthfully do so.

25 3. I make this declaration in support of Defendants' Motion for Summary
26 Judgment, or Partial Summary Judgment.

27 4. I am a detective for the Los Angeles County Sheriff's Department,
28 Walnut Sheriff's Station. I held this same position on the incident date of June 19,

1 2023.

2 5. On June 19, 2023, I was on-duty in the area of Diamond Bar, CA, when
3 I received a dispatch call concerning an Asian male with an assault rifle firing rounds
4 in the air, possibly with a bullet-proof vest, near the intersection of Crooked Creek
5 Dr. and Rising Star Dr. Dispatch requested that deputies in the area respond with
6 lights and sirens. The suspect was later determined to be Decedent Benjamin Chin.

7 6. Due to the reports that the suspect was carrying an assault rifle, I armed
8 myself with a shotgun with slug ammunition.

9 7. While driving to Crooked Creek Drive, I observed numerous civilians
10 outside their homes who appeared scared because of the Decedent.

11 8. While looking for the suspect, I observed an elderly Asian female with
12 blood on her hands. She approached the deputies and me and asked us not to harm the
13 suspect. This was later determined to be Plaintiff Jennie Quan.

14 9. Although I did not know that the elderly Asian female was the
15 Decedent's mother at the time of our initial interaction, I believed she was acquainted
16 with the Decedent because she asked the deputies not to harm him.

17 10. The Decedent's willingness to attack someone he knew with deadly
18 force heightened my fears that the Decedent was a threat and willing to use deadly
19 force against myself, other deputies or civilians.

20 11. Deputy Carlos De La Torre then informed me that the Decedent was
21 approaching Diamond Bar Blvd. I observed the Decedent approximately 150-200
22 feet in front of me wearing a bullet-proof vest and what appeared to be an AR-15 rifle
23 with an optical lens. I reasonably believed that the Decedent would be capable of
24 accurately striking myself, other deputies or civilians from approximately 150 – 200
25 ft. away with an AR-15 equipped with an optical lens.

26 12. Positioned behind the Decedent, I began approaching the Decedent with
27 a shotgun loaded with slug ammunition. I yelled repeated commands for the Decedent
28 to drop his weapon, which were ignored. He continued approaching the deputies

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1 positioned in front of him on Diamond Bar Blvd. with his rifle in the low-ready
2 position on his right side.

3 13. To prevent against the Decedent possibly turning around and shooting at
4 the deputies positioned where I was located, I asked Detective Christopher Bronwicki
5 to use his vehicle as cover as we approached the Decedent. I urgently pursued the
6 Decedent towards Diamond Bar Blvd. with fears that the Decedent could open-fire
7 on deputies and civilians at any point. His bullet-proof vest and AR-15 signaled to me
8 that he was ready for a violent conflict, which heightened my fears because I
9 understood Diamond Bar Boulevard to constitute a heavily trafficked roadway where
10 significant civilian presence is likely.

11 14. I began running on foot from Crooked Creek Dr. to northbound Diamond
12 Bar Blvd. behind the Decedent. I continue to yell commands to the Decedent to drop
13 his weapon, which he continues to ignore. As I turn the corner of Crooked Creek Dr.
14 and approach Diamond Bar Blvd., I observed civilian and deputy vehicles directly in
15 front of the Decedent's path.

16 15. There was the risk of crossfire from my position due to the civilian and
17 deputy vehicles directly in front of the Decedent, so I repositioned myself towards the
18 Decedent's left-flank without any cover. As I am flanking the Decedent, I heard one
19 shot from an unknown source.

20 16. I observed that the Decedent had been impacted because he momentarily
21 slumped over, but he quickly stood back up. I then observed the Decedent's right
22 elbow raise, indicating to me that his hand was on the pistol grip of the rifle and would
23 begin firing at deputies and civilians. He was approximately 10-15 ft. from the
24 civilian and deputy vehicles in front of him at this point. Fearing that the Decedent
25 was going to shoot at deputies and civilians, I fired one round from my shotgun at the
26 Decedent. I witnessed the shotgun slug strike the Decedent's bullet-proof vest. The
27 Decedent did not appear to be affected by the shot.

28 17. Believing that the Decedent would turn towards me to shoot me and

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1 that I lacked any cover, I fired a second shotgun round at the Decedent. The Decedent
2 fell to the ground after I fired the second shot.

3 18. I did not attempt to use less-lethal ammunition against the Decedent
4 because he posed an imminent threat of death or substantial bodily harm to myself,
5 other deputies, and civilians. Moreover, I believed that less-lethal ammunition would
6 be ineffective due to the Decedent's bullet-proof vest.

7 19. The Decedent dropped his rifle when he fell to the ground. I commanded
8 the deputies on-site to grab a shield and approach the Decedent so that he could be
9 handcuffed and rendered aid. I loaded another shell into my shotgun before
10 approaching the Decedent to protect against the possibility that the Decedent could
11 recover his rifle and shoot deputies and civilians in the vicinity. The Decedent's
12 bullet-proof vest prevented me from determining the extent of the Decedent's injuries.

13 20. Medical care was provided to the Decedent at the scene by deputies and
14 members of the fire department until the Decedent was taken to an ambulance.

15 21. Attached hereto as **Exhibit D** is a true and correct copy of my body-worn
16 video which accurately captured the underlying incident that is the subject of this
17 action. The body-worn video accurately reflects what transpired during the subject
18 incident and after a full and thorough review of the body-worn video, I do not believe
19 there are any inaccuracies contained therein.

20 22. Attached hereto as **Exhibit E** is a true and correct copy of my audio
21 interview with the Los Angeles County Sheriff's Department, Homicide Bureau,
22 given after the incident on July 7, 2023. The audio interview accurately reflects my
23 statements given to the Homicide Bureau pertaining to the underlying incident that is
24 the subject of this action. I do not believe there are any inaccuracies contained therein.

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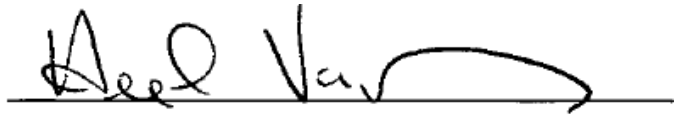
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1 I declare under penalty of perjury under the laws of the State of California that
2 the foregoing is true and correct.

3 Executed on September 29, 2025, at Los Angeles, California.

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Hector Vazquez

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Ex. D – MANUALLY FILED
COLA 00286 (VIDEO)

Ex. E – MANUALLY FILED
COLA 00752 (AUDIO FILE)